

106TH CONGRESS  
1ST SESSION

# S. 1695

To amend the Internal Revenue Code of 1986 to provide that beer or wine which may not be sold may be transferred to a distilled spirits plant, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 1999

Mr. BUNNING introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to provide that beer or wine which may not be sold may be transferred to a distilled spirits plant, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RECYCLING OF CONSUMER BEVERAGE PROD-**  
4 **UCTS WHICH MAY NOT BE SOLD.**

5 (a) IN GENERAL.—Section 5222(b) of the Internal  
6 Revenue Code of 1986 (relating to receipt of distilling ma-  
7 terials) is amended by striking “or” at the end of para-  
8 graph (2), by striking the period at the end of paragraph

1 (3) and inserting “, or”, and by adding at the end the  
2 following:

3 “(4) wine or beer with respect to which tax im-  
4 posed by this subtitle has been paid or determined.  
5 Sections 5044 and 5056 shall apply to wine and beer re-  
6 ceived at a distilled spirits plant under paragraph (4), ex-  
7 cept that the Secretary shall provide in the regulations  
8 under such sections for credit or refund of tax paid on  
9 the wine or beer to the operator of the plant if the operator  
10 establishes that the operator bore the burden of the tax  
11 and that no other person has claimed a credit or refund  
12 of such tax.”

13 (b) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply to materials received at a distilled  
15 spirits plant on and after the date of the enactment of  
16 this Act.

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